

JAN 14 1994

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of) MM Docket No. 93-289
)
PALMETTO COMMUNICATIONS COMPANY)
)
Licensee of Station WDIK(AM))
Yadkinville, North Carolina)
)
Order to Show Cause Why the)
License for Station WDIK(AM))
Yadkinville, North Carolina)
Should Not Be Revoked)

To: Administrative Law Judge
Richard L. Sippel

MASS MEDIA BUREAU'S
MOTION TO CERTIFY

1. By Order to Show Cause and Hearing Designation Order, 8 FCC Rcd 8167 (1993), the Chief, Audio Services Division, Mass Media Bureau, specified for hearing the application of Palmetto Communications Company (Palmetto) for Station WDIK(AM), Yadkinville, North Carolina, on issues to determine whether Palmetto has the capability and intent to resume broadcast operations of WDIK(AM) and whether Palmetto had violated Sections 73.1740 and 73.1750 of the Commission's Rules. A prehearing conference is currently scheduled for January 19, 1994. For the reasons stated, infra, the Mass Media Bureau hereby requests that the Presiding Judge cancel the prehearing conference, terminate this proceeding and certify this case to the Commission.

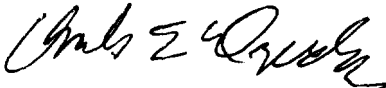
2. By letter dated November 22, 1993 (attached hereto), the licensee notified the Audio Services Division of the Mass Media

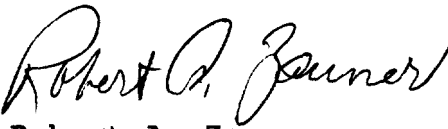
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Bureau of its desire to return the license of WDIX(AM).¹ On January 13, 1994, Bureau counsel spoke by telephone with the licensee and ascertained that the licensee's desire to return the license remains unchanged. Furthermore, the licensee has not filed a notice of appearance in this proceeding and, for this reason alone, certification would be appropriate (See Section 1.92 of the Commission's Rules).

3. In light of the above, the Bureau moves that the Presiding Judge terminate this proceeding and certify this case to the Commission.

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau


Charles E. Dziedzic
Chief, Hearing Branch


Robert A. Zauner
Attorney
Mass Media Bureau

Federal Communications Commission
2025 M Street, N.W.
Suite 7212
Washington, D.C. 20554

January 14, 1994

¹ This letter is dated just four days after the Order to Show Cause was released on January 17, 1993.

Jim Burke
Am

Attachment

November 22, 1993

AM BRANCH

NOV 30 1993

RECEIVED

AUDIO SERVICES DIVISION

NOV 30 3 44 AM '93

RECEIVED

MR LARRY D EADS, CHIEF
AUDIO SERVICES DIVISION
MASS MEDIA BUREAU
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC 20554

Subj: WDIX-AM
Palmetto Communications Inc.

Dear Sir:

Palmetto Communications has exhausted all avenues for returning WDIX-AM Radio in Yadkinville, North Carolina to on-air status. It has proven repeatedly for over 20 years that Yadkinville itself could not economically support a small radio station.

The combination of not being allowed to increase the service area along with major equipment disrepair has left Palmetto Communications financially insolvent and unable to secure additional financing.

In this light, we would regretfully request permission to return the license of WDIX-AM Radio.

Most sincerely,

William B. Hallman

William B. Hallman

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has on this 14th day of January 1994, sent by regular United States mail, U.S. Government frank, copies of the foregoing "Mass Media Bureau's Motion to Certify" to:

Mr. William B. Hallman
138 Linwood Lane
Summerville, South Carolina 29483

Michelle C. Mebane
Michelle C. Mebane